

UNITED STATES BANKRUPTCY COURT
District of Nebraska
460 Federal Building
100 Centennial Mall North
Lincoln, NE 68508

In Re:

TierOne Corporation
Debtor(s)

Bankruptcy Proceeding No. 10-41974-TLS
Chapter 7

Judge: Thomas L. Saladino

**NOTICE SETTING OBJECTION/RESISTANCE DEADLINE AND PRELIMINARY
COURTROOM/TELEPHONE HEARING DATE**

Upon the filing of a Motion for Relief from Stay filed by Gilbert G. Lundstrom, Eugene B. Witkowicz, Gale R. Furnas, David Hartman, Patricia Young, Paula Luther, Larry Pfeil and Roger Ludemann.

The last day to object or resist the above pleading is **November 8, 2010**. Resistance/objection to motion for relief shall comply with Neb R. Bankr. P. 9013(C).

Movant (*) shall give immediate notice in compliance with Neb. R. Bankr. P. 4001(D).

If an objection or resistance to the above-stated motion is properly and timely filed, a hearing will be held on **November 17, 2010** at **10:00 AM** CENTRAL TIME in the Robert V. Denny Courthouse, 460 Federal Building, 100 Centennial Mall North, Lincoln, NE 68508. Parties may participate by telephone. Each party desiring to participate by telephone **MUST CALL** the AT&T TeleConference Center at least 5 minutes prior to the commencement of court. **The court will not call you.** The call in information is as follows:

TOLL FREE CALL IN NUMBER 1-888-684-8852
ACCESS CODE 7519215
PARTICIPANT SECURITY CODE 0804

See attachment to this notice for **PARTICIPANT INSTRUCTIONS FOR ENTERING PHONE CONFERENCE and TELEPHONE HEARING PROTOCOL.**

Affidavit evidence shall be submitted to the court and opposing counsel by **November 12, 2010**.

The hearing shall be a final hearing as described in 11 U.S.C. 362(d) and (e) unless, at the conclusion of the hearing, the Court concludes that this hearing should be treated as a preliminary hearing as described in those statutes.

If a need for the use of equipment for the hearing impaired exists, please notify the courtroom department prior to the scheduled hearing.

Dated: 10/25/10

Diane Zech
Clerk, U.S. Bankruptcy Court

Copies mailed or electronically sent by the court on the movant.

*Brian Koenig
Rick Lange, Trustee
UST
TierOne Bank, 1235 N Street, Lincoln, NE 68508-2008

IF YOU ARE NOT A PARTY TO THE MATTER SET FORTH IN THIS NOTICE AND WOULD LIKE TO PARTICIPATE IN THE HEARING, YOU MUST NOTIFY THE COURTROOM DEPUTY AT 402-437-1627 OR NEBml_orders_lincoln@neb.uscourts.gov **AT LEAST 24 HOURS PRIOR TO THE HEARING.**

PARTICIPANT INSTRUCTIONS FOR ENTERING PHONE CONFERENCE and
TELEPHONE HEARING PROTOCOL

Each party desiring to be heard **MUST CALL** the AT&T TeleConference Center at least 5 minutes prior to the commencement of court. Participants will need the following information provided in the clerk's hearing notice in order to participate by telephone:

TOLL FREE CALL IN NUMBER
ACCESS CODE
PARTICIPANT SECURITY CODE

Conference calls will be amplified throughout the entire courtroom. During the conference call and while court is in session, please maintain proper telephone etiquette. Participant cooperation is appreciated and will serve to expedite the hearing process.

TELEPHONE CONFERENCE / HEARING PROTOCOL

- Be on time for the hearing at least 5 minutes prior to commencement of court.
- The Bankruptcy Court **will not** initiate the telephone conference. Participants **MUST CALL** the AT&T TeleConference Center.
- If participant(s) fail to call in, the hearing will go forward as scheduled.
- The toll free call in number, access number, and participant security code will be provided in the clerk's hearing notice. The numbers may not be the same for every hearing so it is important you review the hearing notice in advance.
- **DO NOT** announce your presence when you call into the conference **except** when requested to do so by the AT&T auto-attendant prompt. Multiple hearings may be scheduled at the same time and a hearing may be in process. Wait for your hearing to be called before speaking. Treat the phone conference as if you are sitting in the courtroom waiting for your case to be called.
- Do not place the phone on hold during the call as many participants utilize background music.
- Do not conduct work such as paper shuffling or keyboard typing during the phone conference. Maintain telephone silence while waiting and refrain from making unnecessary noise.
- Mute your telephone as applicable. Press *6 to mute your line. When you are ready to speak Press *6 to un-mute your line.
- Do not address the court until called upon.
- Follow conference coordinator instructions as provided.
- Limit the use of mobile phones. If at all possible call in from a land line for your telephone conference. Mobile phone service drops and/or static may affect the conference. The AT&T TeleConference specialists have no control over the quality when any participant decides to use their mobile phone.

PARTICIPANT INSTRUCTIONS FOR ENTERING PHONE CONFERENCE

- a. Dial the Toll Free Call in Number provided in the clerk's hearing notice;
- b. Enter the Access Code provided in the clerk's hearing notice. At this point you will be placed on hold until the Host (Courtroom Deputy) activates the conference call;
- c. Once the conference call has been activated by the Host, you will be asked to enter the Participant Security Code provided in the hearing notice, followed by the # key. The security code needs to be entered only once unless it is entered incorrectly the first time.
- d. Provide your name to the AT&T auto-attendant as prompted. Once you have been connected to the phone conference do not announce your presence until the courtroom deputy takes roll call or your hearing is called.